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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TIMOTHY MCDOWELL,

Plaintiff,

vs.

COUNTY OF LASSEN,

Defendant.

) Case No.: 2:23-cv-01007-DJC-DMC

) **STIPULATION AND ORDER TO**

) **MODIFY THE PRETRIAL**

) **SCHEDULING ORDER TO EXTEND**

) **DISCOVERY DEADLINES**

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1 THE PARTIES, by and through their respective counsel and subject to the approval of this
2 Court, hereby stipulate and respectfully request to modify the following deadlines set forth in this
3 Court's Modified Pretrial Scheduling Order of March 13, 2025 (ECF. No. 37)

- 4 • The Fact Discovery currently set for July 31, 2025 be moved to December 31, 2025;
- 5 • The Expert Witnesses designation deadline currently set for August 28, 2025 be moved
6 to January 29, 2026;
- 7 • Supplement Disclosure Deadline currently set for September 25, 2025 be moved to
8 February 27, 2026;
- 9 • Expert Discovery Cutoff Date currently set for October 23, 2025 be moved to March
10 27, 2026;
- 11 • That the Dispositive Motion deadline currently set for November 11, 2025 be moved
12 to February 27, 2026;
- 13 • That the Hearing on Dispositive Motion currently set for January 8, 2026 be moved to
14 April 14, 2026 at 1:30 p.m.;
- 15 • The Final Pretrial Conference currently set for April 23, 2026 be moved to July 30,
16 2026 at 1:30 p.m.;
- 17 • The Jury Trial currently set for June 15, 2026 be moved to September 28, 2026 at 1:30
18 p.m.

19 The parties stipulate to and request this modification of the Modified Pretrial Scheduling
20 Order as to discovery cut-off, expert witness disclosures, dispositive motion deadlines, and final
21 pre-trial conference date for the following reasons, which constitute good cause pursuant to
22 Section X of the Pretrial Scheduling Order and FRCP 16(b):

23 • The parties previously made a request to modify the May 31, 2024 (ECF No. 31)
24 Pretrial Scheduling order based upon good cause.

25 • Whereas the parties commenced discussion in late May and early June about
26 attending private mediation. During these discussions it was generally agreed to hold off on
27 completing fact discovery, to avoid incurring unnecessary attorney fees and costs. Given the
28 various vacation schedules of the decisions makers, related to attending private mediation, an

1 agreement to attend private mediation was not obtained until the second week of July and an agreed
2 upon mediator selected.

3 • Mediation has been scheduled with Bill Simmons for August 28, 2025.
4 • In light of the parties' agreement to attend private mediation the parties' agreement
5 to hold off on completing the fact discovery good cause now exists to modify the current pretrial
6 scheduling order.

7 • The new proposed deadlines will provide the parties with a meaningful opportunity
8 to complete fact discovery, which entails taking several depositions, which will require preparation
9 and flexibility in scheduling.

10 • Other deadlines are being adjusted accordingly to align with the proposed fact
11 discovery deadline extension.

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14 Dated: July 29, 2025

ANGELO, KILDAY & KILDUFF, LLP

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16 */s/ Jacob J. Graham*

17 By: (Authorization received 7/28/2025)
18 SERENA M. WARNER
19 JACOB J. GRAHAM
20 Attorneys for Defendant COUNTY OF LASSEN

21 Dated: July 29, 2025

ASBILL LAW GROUP, APLC

22 */s/ Natalia D. Asbill-Bearor*

23 By: _____
24 NATALIA ASBILL-BEAROR
25 Attorneys for Plaintiff TIMOTHY
26 MCDOWELL
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ORDER

IT IS HEREBY ORDERED:

- Fact Discovery deadline be moved to December 31, 2025;
- Expert Witness Designation deadline be moved to January 29, 2026;
- Supplemental Expert Witness Disclosure deadline be moved to February 27, 2026;
- That Expert Discovery deadline be moved to March 27, 2026;
- Deadline to file Dispositive Motions be moved to February 27, 2026;
- Hearing date for Dispositive Motions be moved to April 16, 2026, at 1:30 PM
- Final Pretrial Conference be moved to July 30, 2026, at 1:30 PM;
- Jury Trial be moved to September 28, 2026, at 8:30 AM.

IT IS SO ORDERED.

Dated: July 29, 2025

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE